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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JAMES RAYMOND ELLIS, aka "Jimbo,"

12 Defendant.

3:21-CR-031-MMD-CLB

Final Order of Forfeiture

13 The United States District Court for the District of Nevada entered a Preliminary
14 Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 924(d)(1) with
15 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28 U.S.C. § 2461(c); 21
16 U.S.C. § 853(a)(2); and 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c) based upon the plea
17 of guilty by James Raymond Ellis, aka "Jimbo," to the criminal offense, forfeiting the
18 property set forth in the Amended Memorandum in Support of Plea and the Forfeiture
19 Allegations of the Criminal Indictment and shown by the United States to have the requisite
20 nexus to the offense to which James Raymond Ellis, aka "Jimbo," pled guilty. Criminal
21 Indictment, ECF No. 12; Amended Memorandum in Support of Plea, ECF No. 37; Change
22 of Plea, ECF No. 41; Preliminary Order of Forfeiture, ECF No. 44.

23 This Court finds that on the government's motion, the Court may at any time enter
24 an order of forfeiture or amend an existing order of forfeiture to include subsequently
25 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

26 This Court finds the United States published the notice of forfeiture in accordance
27 with the law via the official government internet forfeiture site, www.forfeiture.gov,
28 consecutively from January 8, 2023, through February 6, 2023, notifying all potential third

1 parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No.
2 46-1, p. 5.

3 This Court finds the United States notified known third parties by regular mail and
4 certified mail return receipt requested of their right to petition the Court. Notice of Filing
5 Service of Process – Mailing, ECF No. 47.

6 On January 24, 2023, the United States Attorney's Office served Ridley's Family
7 Markets, Inc., c/o Registered Agent Inc, by regular and certified return receipt mail with the
8 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process –
9 Mailing, ECF No. 47-1, p. 3-14.

10 On January 24, 2023, the United States Attorney's Office served and attempted to
11 serve Ridley's Family Markets, Inc., c/o Donald M. Ridley, President, by regular and
12 certified return receipt mail with the Preliminary Order of Forfeiture and the Notice. The
13 latest status of the certified mail is it is unclaimed. Reschedule was due by February 4, 2023.
14 The regular mail was not returned. Notice of Filing Service of Process – Mailing, ECF No.
15 47-1, p. 3-11, 15-17.

16 On January 24, 2023, the United States Attorney's Office served and attempted to
17 serve Ridley's Family Markets, Inc., c/o Constance F. Ridley, Secretary & Treasurer, by
18 regular and certified return receipt mail with the Preliminary Order of Forfeiture and the
19 Notice. The status of the certified mail is unknown and has been listed as in transit since
20 January 31, 2023. The regular mail was not returned. Notice of Filing Service of Process –
21 Mailing, ECF No. 47-1, p. 3-11, 18-20.

22 On January 24, 2023, the United States Attorney's Office served and attempted to
23 serve Ridley's Family Markets, Inc., c/o Jerry L. Ridley, Director, by regular and certified
24 return receipt mail with the Preliminary Order of Forfeiture and the Notice. The status of
25 the certified mail is unknown and has been listed as in transit since January 31, 2023. The
26 regular mail was not returned. Notice of Filing Service of Process – Mailing, ECF No. 47-1,
27 p. 3-11, 21-23.

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1 On January 24, 2023, the United States Attorney's Office served Salvador Perez De
 2 Dios at zip code 89434-2516 by regular and certified return receipt mail with the
 3 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process –
 4 Mailing, ECF No. 47-1, p. 3-11, 24-25.

5 On January 24, 2023, the United States Attorney's Office served Salvador Perez De
 6 Dios at zip code 89508-6499 by regular and certified return receipt mail with the
 7 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process –
 8 Mailing, ECF No. 47-1, p. 3-11, 26-27.

9 On January 24, 2023, the United States Attorney's Office served and attempted to
 10 serve Salvador Perez De Dios at zip code 89509-2660 by regular and certified return receipt
 11 mail with the Preliminary Order of Forfeiture and the Notice. The certified mail was
 12 unclaimed and is being returned to sender. The regular mail was not returned. Notice of
 13 Filing Service of Process – Mailing, ECF No. 47-1, p. 3-11, 28-30.

14 On April 4, 2023, the United States filed a proposed Stipulation for Entry of Order of
 15 Forfeiture as to Ridley's Family Markets, Inc., and Order, ECF No. 53.

16 On April 5, 2023, the Court entered the Order granting the Stipulation, ECF No. 54.

17 This Court finds no other petition was filed herein by or on behalf of any person or
 18 entity and the time for filing such petitions and claims has expired.

19 This Court finds no petitions are pending regarding the property named herein and
 20 the time has expired for presenting such petitions.

21 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
 22 all possessory rights, ownership rights, and all rights, titles, and interests in the property
 23 hereinafter described are condemned, forfeited, and vested in the United States under Fed.
 24 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 924(d)(1)
 25 with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28 U.S.C. § 2461(c);
 26 21 U.S.C. § 853(a)(2); 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c); and 21 U.S.C. §
 27 853(n)(7) and shall be disposed of according to law and the Stipulation:

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1 1. a Smith and Wesson model M&P Shield 9mm pistol bearing serial
2 number JME5593; and

3 2. any and all compatible ammunition
4 (all of which constitutes property).

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the forfeited
6 property shall be disposed of according to law and the Stipulation.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
8 copies of this Order to all counsel of record.

9 DATED April 7, 2023.

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12 MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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